

Minutes of the Ashburnham Zoning Board of Appeals
March 30, 2011
7:30 PM

Present: David Perry, Chairman; Joseph Daigle, Mark Carlisle, and Rich Archer

Absent: Cheryl Anderson and Terry Girouard

Hearing 11-02 (Continued)
7:30 PM

1. David opens continuance
 - A. Introduces Board
 - B. Reads Appeal
 - C. Explains 4 Member Board and rulings
 - David asks Appellants what they want
2. Appellants (Monteverde) asks if we could have an absent-Tee vote
 - A. Answered No
3. Appellant (Monteverde) asks why Terry can't sit
 - A. Answered
4. Appellants decide to go with 4 member Board
5. David explains the rules of engagement
6. David turns hearing over to owner of property. (Marcella Braks 13 Cote Avenue)
 - A. No snowmobiles on road
 - B. No cars to be parked on road
 - C. Noise will be taken care of by equipment
 - D. David Cote did what he wanted when he was alive but the appellants will abide by rules set by Board.
 - E. Submits letter from Attorney Reynolds (3 pages) Exhibit 1
7. David reads letter out loud to those present
8. Applicant: Jean Hebert speaks
 - A. Will not add or detract from building
 - B. Will not use snowmobiles in street
 - C. Neighbors (All but one bought their homes while David Cote was in business)
 - D. Children riding bikes in the road should not be a reason to buy a home

- E. Cote Ave is off the busiest road in Ashburnham
 - F. We will abide by any rules of the Board
 - G. Asked Board to realize what a great job opportunity this is for them
9. David asks second Appellant (Wayne Monteverde) for his input.
- A. Jean explained it in a nut shell
10. David asks abutters for input
11. Mary Ann Ruscio speaks:
- A. Rebuts statement that neighbors are not home during the day. = She is
 - B. Not concerned with repair noise, she is concerned with traffic noise.
12. Christine Mele speaks:
- A. Bought house because of quiet dead end street
 - B. Concerned with customers actions
 - C. Concerned with property values
 - D. What would their recourse be if a Special Permit was granted and they did not obey?
13. David explains enforcement
14. Christine Mele continues to speak against Special Permit; other properties available
15. Diane DeMacale (Broker) speaks
- A. Unique property
 - B. Other properties are not available
16. Marcella Braks speaks
17. Jan Lehtinen speaks
- A. No septic system tight tank
 - B. No bathroom in garage
 - C. Property will be a rental
18. David advises Ms. Lehtinen that, that is a Board of Health issue
19. Jean Hebert Speaks:
- A. Good opportunity
 - B. They always follow the rules
 - C. Tax payers in town
20. Ms. Mele asks about precedence being set and does David Cote's former presence have any bearing on the hearing?

21. David asks Appellants for business plan
 - A. Hours would be 7 a.m. to 7 p.m. M-F and 7a.m.-12p.m. on Saturday
 - B. Employees would be two
 - C. Automobile repair
22. Rich asks if Cote Ave had sidewalks.
 - A. Answer-No
23. Mark asks if Abutters had anything that would appease the situation
 - A. Answer-No
24. David suggests short break
 - A. A short break taken
25. David asks if there is any new information from anyone.
 - A. No
26. David closes the hearing @ 8:30 p.m., explains deliberations, appeals of decision, time frames, and registered with deed.
27. Discussion with 1.34 & 1.33, as to which applies.
 - A. David will ask Town Administrator and/or Town Counsel.
28. Deliberation to be set for 4/13/2011 @ 7:30 p.m.
29. David makes motion
 - A. Joe seconded the motion
 - B. Adjournment at 8:50 p.m. was unanimous

Respectfully submitted,

Joseph B. Daigle,
Clerk